

# AUSTIN CITY COUNCIL AGENDA

THURSDAY, MAY 12, 2005, THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST 2ND STREET, AUSTIN, TEXAS.

AUSTIN CITY CLERK  
POSTING TIME

05 MAY -6 PM 3:16



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WILL WYNN, MAYOR ♦ JACKIE GOODMAN, MAYOR PRO TEM ♦ DARYL SLUSHER  
RAUL ALVAREZ ♦ BETTY DUNKERLEY ♦ BREWSTER MCCrackEN ♦ DANNY THOMAS

**NOTICE OF REGULAR MEETING  
THURSDAY, MAY 12, 2005**

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11 00 A M	BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION The Mayor will recess the City Council meeting A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda Following adjournment of the AHFC Board meeting the City Council will re-convene	14
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**9:55 A.M. Invocation**

Major Daniel New, Salvation Army

**10:00 A.M. City Council Convenes**

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, MAY 12, 2005, IN THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST 2ND STREET, AUSTIN, TEXAS.**

**The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.**

**READING AND ACTION ON CONSENT AGENDA****ACTION ON THE FOLLOWING:**

**ORDINANCES / RESOLUTIONS / MOTIONS - All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**Meeting Minutes**

- 1 Approval of minutes from the meeting of April 28, 2005

**Austin Energy**

- 2 Approve issuance of a rebate in the amount of \$62,991 51 to SIMON PROPERTY GROUP, Austin, TX, for the installation of a high efficiency chiller at Barton Creek Square Mall at 2901 Capital of Texas Highway (Funding in the amount of \$62,991 51 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy ) (Recommended by the Electric Utility Commission and the Resource Management Commission )
- 3 Approve the issuance of a rebate in the amount of \$67,500 21 to SAMSUNG AUSTIN SEMICONDUCTOR, Austin, TX, for the installation of a high efficiency chiller, high efficiency motors and lighting equipment improvements at their facility located at 12100 Samsung Blvd (Funding in the amount of \$67,500 21 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy ) (Recommended by the Electric Utility Commission and the Resource Management Commission )
- 4 Approve the issuance of a rebate in the amount of \$94,965 74 to the LEANDER INDEPENDENT SCHOOL DISTRICT, Leander, TX, for the installation of energy efficient equipment at Canyon Ridge Middle School located at 12601 Country Trails Lane (Funding in the amount of \$94,965 74 is available in the Fiscal Year 2004-2005 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy ) (Recommended by the Electric Utility Commission and the Resource Management Commission )

**Aviation**

- 5 Authorize the negotiation and execution of an amendment to the Parking Management Agreement with AMPCO SYSTEM PARKING, Houston, TX, to provide valet parking services at Austin-Bergstrom International Airport (ABIA) as a concession under which the City will receive concession fees equal to 10% of the first \$750,000 in annual valet gross revenue and 70% of annual valet gross revenue over \$750,000 (Revenue in the amount of \$35,381 is projected for the Fiscal Year 2004-2005 (May-September) This revenue is not reflected in the Department of Aviation's (DOA) Approved Fiscal Year 2004-2005 Budget ) (Approved by the Austin Airport Advisory Commission)

**Economic Growth and Redevelopment Services**

- 6 Authorize negotiation and execution of the first amendment to the real estate contract between the City of Austin and the Austin Museum of Art, Inc (AMOA) regarding the sale of the Jail-House Block (bounded by Third Street, Fourth Street, San Antonio Street, and Guadalupe Street) (Related Item 50)

**Financial and Administrative Services - Communications and Technology Management**

- 7 Approve an ordinance amending the Fiscal Year 2004-2005 City of Austin Operating Budget of Ordinance No 040913-01 to decrease appropriations to the Police Department by an amount of \$200,000, to increase the General Fund transfer to the Capital Improvement Project budget by an amount of \$200,000, and to appropriate \$400,000 from the Fiscal Year 2004-2005 Police Federal Asset Forfeiture Fund of Ordinance No 040913-01 to the Public Safety Mobile Data Communications system, and amending the Fiscal Year 2004-2005 Communications and Technology Management Capital Budget of Ordinance No 040913-02 to appropriate \$3,200,000 for hardware and software upgrades to the Public Safety Mobile Data Communications system (Funding in the amount of \$200,000 is available in the Fiscal Year 2004-2005 Police Operating Budget Funding in the amount of \$400,000 is available in the Fiscal year 2004-2005 Police Federal Asset Forfeiture Fund Funding in the amount of \$3,000,000 is available in non-tax-supported General Obligation Contractual Obligations to be issued in August 2005 or later ) (Related Item 8)
- 8 Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of the sale of Contractual Obligations in the amount of \$3,000,000 for expenditures related to the Public Safety Mobile Data Communications System upgrade project (The Internal Revenue Code provides that a municipality must declare its intent to finance a current expenditure with proceeds from the future sale of a tax-exempt obligation ) (Funding in the amount of \$3,000,000 is available in non-tax-supported General Obligation Contractual Obligations to be issued in August 2005 or later ) (Related Item 7)

**Health and Human Services**

- 9 Approve negotiation and execution of a 12-month Interlocal Agreement with TRAVIS COUNTY to provide for the delivery of basic needs and self-sufficiency/case management services to low-income rural residents, in an amount not to exceed \$98,102 with one 12-month renewal option in an amount not to exceed \$98,102, for a total agreement amount not to exceed \$196,204 (Funding in the amount of \$98,102 is available in the Fiscal Year 2004-2005 Operating Budget of the Health and Human Services Department Special Revenue Fund, Community Services Block Grant (CSBG) The contract period for the Interlocal Agreement and grant is January 1, 2005 through December 31, 2005 Funding for one renewal option is contingent on performance and available funding in future budgets )
  
- 10 Approve an ordinance authorizing acceptance of \$20,308 in carry-forward grant funds from the United States Department of Health and Human Services, Public Health Service, Demonstration Project for the Medical Reserve Corps grant program and amending the Fiscal Year 2004-2005 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No 040913-01, to appropriate \$20,308, for a total grant amount of \$70,308, to purchase equipment and supplies, provide for conference attendance, training, printing, and volunteer credentialing (Funding in the amount of \$20,308 is available from the U S Department of Health and Human Services Public Health Service, Demonstration Project for Medical Reserve Corps grant program The grant period is September 30, 2004 through September 29, 2005 No city match is required )

**Neighborhood Planning and Zoning**

- 11 Approve an ordinance to annex the Woods of Greenshores area for the limited purposes of planning and zoning (Approximately 108 acres in Travis County east of the intersection of City Park Road and Pearce Road) (Limited purpose annexation does not have a significant impact on the general fund ) (Related Item 12)
  
- 12 Approve an ordinance adopting a Regulatory Plan for the Woods of Greenshores area, which is being annexed for limited purposes (Limited purpose annexation does not have a significant impact on the general fund ) (Related Item 11)
  
- 13 Approve an ordinance to disannex the Jet Lane area from the City's limited purpose jurisdiction (Approximately 6 acres in Travis County east of Highway 71 East at the end of Jet Lane)

- 14 Provide direction regarding the Development Orientation and Building Design Sections of the proposed design standards for commercial and retail development (Recommended by Design Commission, Zoning and Platting Commission, and Planning Commission )

### **Parks and Recreation**

- 15 Approve an ordinance amending Section 8-1-13 of the City Code relating to Park use fees to exempt City employees from certain park, pool admission and parking fees to enhance physical fitness (Anticipated reduction in revenues of \$24,605 )

### **Public Works**

- 16 Approve a resolution to authorize the fee simple acquisition of 7312 Dixie Drive, also known as Lot 37, Block E, Yarrabee Bend South Section 1, a subdivision in Travis County, Texas, from Gloria M Stevens for the Streambank Restoration and Erosion Management Program, in the amount of \$124,000 for the land and improvements and \$22,500 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$156,500 (Funding in the amount of \$156,500 is included in the Fiscal Year 2004-2005 Amended Capital Budget of the Watershed Protection and Development Review Department )
- 17 Approve an ordinance on second reading only to renew the HARLEM CAB COMPANY d b a AUSTIN CAB taxicab franchise (Revenue source - taxicab permit fee of \$400 per year per permit Expected annual revenue \$55,600 ) (Recommended by the Urban Transportation Commission )
18. Approve an ordinance on second reading only to renew the GREATER AUSTIN TRANSPORTATION COMPANY d b a YELLOW CAB COMPANY taxicab franchise (Revenue source - taxicab permit fee of \$400 per year per permit Expected annual revenue \$121,600 ) (Recommended by the Urban Transportation Commission )
- 19 Authorize execution of a construction contract with KEYSTONE CONSTRUCTION, INC , Austin, TX, for the 16-inch FM 1825 Waterline Interconnect Project in an amount not to exceed \$557,693 (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility ) Lowest bid of four received 29 20% MBE and 8 26% WBE subcontractor participation (Recommended by the Water and Wastewater Commission )

- 20 Authorize execution of a construction contract with SMITH CONTRACTING CO , INC , Austin, TX, for Austin-Bergstrom International Airport pavement maintenance in an amount not to exceed \$496,400 (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Department of Aviation ) Lowest bid of four received 12 48% MBE and 8 46% WBE subcontractor participation
- 21 Authorize execution of a construction contract with PEABODY GENERAL CONTRACTORS, INC (WBE/FR 64 26%), Dripping Springs, TX, for the Austin Clean Water Program Govalle 1 - South 2<sup>nd</sup> Street Wastewater Reroute and Area Improvements (Town Lake Park Segment) in an amount not to exceed \$600,000 (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility ) Lowest bid of three received 33 44% MBE and 2 30% WBE subcontractor participation
- 22 Authorize execution of change order # 5 to the construction contract with HUTCHISON CONSTRUCTION, INC , Austin, TX, for the Circle C Fire/EMS Station in the amount of \$36,000, for a total contract amount not to exceed \$1,910,295 93 (Funding in the amount of \$36,000 is available in the Fiscal Year 2004-2005 Capital Budget of the Austin Fire Department ) 3 50% MBE and 8 6% WBE subcontractor participation to date
- 23 Authorize negotiation and execution of an amendment to the professional services agreement with CAROLLO ENGINEERS, P C , Austin, TX, for additional preliminary site assessment work and professional preliminary engineering design services for the Water Treatment Plant 4, in an amount not to exceed \$6,500,000, for a total contract amount not to exceed \$10,000,000 (Funding in the amount \$6,500,000 is available in the Fiscal Year 1995-1996 Amended Capital Budget of the Austin Water Utility ) 15 29% MBE and 14 37% WBE subcontractor participation to date (Recommended by the Water and Wastewater Commission 2/2/05 Recommended by the Environmental Board 4/20/05 )

**Purchasing**

- 24 Authorize execution of a 12-month supply agreement with SOUTHWESTERN ELECTRIC & SUPPLY, Austin, TX, for miscellaneous lamps (light bulbs) in an amount not to exceed \$54,782, with two 12-month extension options in an amount not to exceed \$54,782 per extension option, for a total agreement amount not to exceed \$164,346 (Funding in the amount of \$18,261 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Convention Center Department Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets ) Lowest bid meeting specification This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 25 Authorize execution of a contract with SHARP ELECTRONICS CORPORATION, Huntington Beach, CA, for photovoltaic modules and inverters in an amount not to exceed \$295,700 (Funding is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy, Conservation, Rebates and Incentives Fund The State Energy Conservation Office is providing \$100,000 grant for the Solar on Schools program ) Lowest bid of three bids received This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No Subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 26 Authorize execution of a contract with DELL COMPUTER, Austin, TX , through the State of Texas Department of Information Resources Go DIRECT program for the purchase of Tipping Point Unity One-400 Intrusion Prevention System and a 12-month maintenance service agreement in an amount not to exceed \$119,502, with three 12-month maintenance extension options in an amount not to exceed \$22,812 per extension option, for a total agreement amount not to exceed \$187,938 (Funding in the amount of \$119,502 is available in the Communications and Technology Management's portion of the State Homeland Security Program Grant Funding for the extension options is contingent upon available funding in future budgets ) Cooperative Purchasing

- 27 Authorize execution of Amendment No 1 to increase the supply/service agreement with THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES Go DIRect program for the purchase of computer hardware and maintenance in an amount not to exceed \$2,870,563 for the original 10-month period, for a total revised agreement amount not to exceed \$16,898,630 (Funding in the amount of \$2,470,563 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Communications and Technology Management Department and \$400,000 is available in the Fiscal Year 2004-2005 Austin Police Department's Asset Forfeiture Fund ) Cooperative Purchasing (Related Items 28, 29)
- 28 Authorize negotiation and execution of Amendment No 11 to the contract with TRITECH SOFTWARE SYSTEMS INC San Diego, CA, to purchase services to improve the Visinet Mobile Client software and mobile router software in an amount not to exceed \$359,836, for a total contract amount not to exceed \$9,623,784 40 (Funding in the amount of \$359,836 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Communications and Technology Management Department ) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation (Related Items 27, 29)
- 29 Authorize negotiation and execution of Amendment No 4 to the contract with VERSATERM, Ottawa, Ontario, Canada, to purchase a new Mobile Client module to the existing Versadex Records Management System in an amount not to exceed \$250,000, for a total contract amount not to exceed \$3,017,554 50 (Funding in the amount of \$250,000 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Communications and Technology Management Department) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation (Related Items 27, 28)

- 30 Authorize execution of 12-month supply agreement with McNEILUS TRUCK AND MANUFACTURING, Houston, TX, for captive repair parts for refuse equipment manufactured by Leach, in an amount not to exceed \$65,000, with three 12-month extension options in an amount not to exceed \$65,000 per extension option for a total agreement amount not to exceed \$260,000 (Funding in the amount of \$27,083 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets ) Lowest bid of two bids received This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 31 Authorize execution of a 12-month service agreement with THE GLASS DOCTOR, Austin, TX, for automotive glass repair and replacement services in an amount not to exceed \$125,000, with three 12-month extension options in an amount not to exceed \$125,000 per extension option, for a total agreement amount not to exceed \$500,000 (Funding in the amount of \$41,667 is available in the Fiscal year 2004-2005 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets ) Lowest bid of three bids received This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation
- 32 Authorize execution of a 12-month service agreement with NATIONAL SAFETY CLEAN, Kennett Square, PA, for bunker gear cleaning, decontamination, repair, and maintenance in an amount not to exceed \$70,000, with two 12-month extension options in an amount not to exceed \$70,000 per extension option, for a total agreement amount not to exceed \$210,000 (Funding in the amount of \$29,166 67 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Fire Department Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets ) Lowest bid of three bids received This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified, therefore, no goals were established for this solicitation

- 33 Authorize negotiation and execution of a five-year revenue generating contract with PLAYER'S CONCESSIONS (MBE/MH-100%), Austin, TX, for food and beverage concessions at Lions Municipal Golf Course for an estimated annual revenue amount of \$60,000, with two 24-month extension options for an estimated annual revenue amount of \$60,000, for a total estimated revenue amount of \$540,000 (Net estimated revenue of \$300,000 over the duration of the five-year contract and \$60,000 annually for each 24-month extension option Revenues are included in the Fiscal Year 2004-2005 Operating Budget of the Parks and Recreation Department ) Best evaluated proposal of three proposals received (Approved by the Parks Board )
- 34 Ratify execution of a contract with GINNY'S PRINTING, Austin, TX, for printing and mailing services for materials related to a litigation settlement in an amount not to exceed \$115,675 (Funding in the amount of \$58,837 50 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Drainage Fund of the Watershed Protection and Development Review Department and \$58,837 50 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Transportation Fund of the Public Works Department )

#### **Watershed Protection and Development Review**

- 35 Approve an ordinance on third reading amending Chapter 25-1 of the City Code to add a new Article 13 relating to Dormant Project Expiration, and waiving Section 25-1-502 of the Code and providing for emergency passage (Recommended by the Planning Commission ) (Related Item 51)
- 36 Approve negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the construction of Joe Tanner Lane Low Water Crossing Improvements as part of the US 290 West expansion, east of Williamson Creek to west of RM 1826, in the estimated amount of \$128,400 with a contingency in the amount of \$38, 520 for a total funding in the amount of \$166,920 00 subject to a right of termination in the City (Funding in the amount of \$166,920 is available in the 2003-2004 Amended Capital Budget of the Watershed Protection and Development Review Department )

#### **ITEMS FROM COUNCIL**

- 37 Board and Commission appointments

- 38 Approve a resolution directing the City Manager to identify strategies for increasing contributions to the Customer Assistance Program (CAP) Program listed on the City's utility bill (Council Member Raul Alvarez, Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)
- 39 Approve an ordinance authorizing the City Manager to negotiate and execute an amendment to the Consent Agreement with the Northwest Austin Municipal Utility District No 1 (Canyon Creek) to approve a monthly credit on water and wastewater bills per single family lot for customers located inside the District, which represents a 50% credit of the District's average annual debt service on current outstanding district debt, amending Ordinance No 040913-05, the Fiscal Year 2004-2005 Fee Ordinance, relating to water and wastewater rate credit per single family lot for customers located inside the District, and waiving the requirements of the City Code Section 2-5-2 relating to economic impact statements, Section 2-5-45 relating to rate change public hearing, Section 15-9-4 relating to public notice of a proposed rate or classification change, and Section 25-9-253 relating to board and commission review (Mayor Will Wynn, Mayor Pro Tem Jackie Goodman and Council Member Brewster McCracken)
- 40 Approve a resolution requesting the members of the 79th Texas Legislature to support the funding of the Texas Recreation and Parks Account for the purpose of providing matching grants to political subdivisions for parks and recreation development in Texas (Council Member Betty Dunkerley)
- 41 Approve an ordinance waiving certain fees and authorize payment of certain costs for the Lesbian and Gay Rights Lobby of Texas - Gay Pride Festival to be held at Waterloo Park on June 11, 2004 (Council Member Brewster McCracken and Mayor Will Wynn)
- 42 Approve an ordinance authorizing the payment of costs for the employment of off-duty peace officers in connection with the Austin Gay and Lesbian Chamber of Commerce's Gay Pride Parade to be held on June 4, 2005 (Council Member Brewster McCracken and Mayor Will Wynn)
- 43 Approve an ordinance authorizing waiver of certain fees and payment of certain costs for the Greater East Austin Youth Association's 2005 Juneteenth Festival and Parade to be held on June 18, 2005 (Council Member Danny Thomas)
- 44 Approve an ordinance authorizing waiver of certain fees and payment of certain costs for the Greater East Austin Youth League's 2005 Pre-Juneteenth Parade and Festival to be held on June 16-17, 2005 (Council Member Danny Thomas)

- 45 Approve a resolution establishing a supplemental funding plan for the City of Austin Employee Retirement System (Mayor Pro Tem Jackie Goodman, Council Member Raul Alvarez and Council Member Betty Dunkerley)
- 46 Approve a resolution directing the City Manager to prepare an ordinance establishing a lifetime City registration of spayed and neutered pets and raising the annual registration fee for intact animals from \$15 to \$20 (Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)

**Item(s) to Set Public Hearing(s)**

- 47 Set a public hearing to amend Sections 25-2-753 and 25-2-754 of the City Code to modify use regulations applicable in the University Neighborhood Overlay (Suggested date and time May 19, 2005 at 4 00 p m , City Hall Council Chambers, 301 West 2<sup>nd</sup> Street ) (To be reviewed by Planning Commission on May 10, 2005 )

**11:00 A.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.** The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.

- AHFC- 1 Approve the minutes of the April 7, 2005 Board meeting of the Austin Housing Finance Corporation
- AHFC- 2 Authorize the negotiation and execution of a Community Housing Development Organization loan under the Acquisition and Development Program in an amount not to exceed \$160,000 to NEIGHBORHOOD HOUSING SERVICES OF AUSTIN, INC , Austin TX, a non-profit community-housing provider, to provide loans to first-time homebuyers (Funding is available in HOME grant funds allocated in the Fiscal Year 2004-2005 Austin Housing Finance Corporation budget )

**12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL**

Mike Haynes - South Austin Tennis Center Expansion

Tim Staley - South Austin Tennis Center Expansion

Doris Limon - "Share the Road" Presentation

Frances Martinez - SAVE East Austin from further gentrification Our clinics appointment process still is ineffective I support Danny Thomas as our next Mayor Pro Tem

Gavino Fernandez Jr - SAVE East Austin from further gentrification  
Remember "Rainey Neighborhood"  
I support Council Member Danny Thomas as our next Mayor Pro Tem

Carol Welder - South Austin Tennis Center Expansion

Joyce Hunt - Improving Race Relations

Ramon Maldonado - SAVE East Austin from further gentrification Impose a ten year tax abatement for current homeowners I support Council Member Danny Thomas as our next Mayor Pro Tem

Marcos De Leon - SAVE East Austin from further Gentrification Create a policy that help out senior citizens remain in East Austin I support Council Member Danny Thomas as our next Mayor Pro-Tem

Leon Hernandez - SAVE East Austin from further gentrification Help East Austin small business remain I support Council Member Danny Thomas as our next Mayor Pro-Tem

**EXECUTIVE SESSION (No Public Discussion On These Items)****Private Consultation with Attorney - Section 551.071**

- 48 Discuss legal issues concerning proposed legislation in the 79<sup>th</sup> Legislative Session
- 49 Discuss legal issues related to Collective Bargaining with the Austin Association of Professional Fire Fighters

- 50 Discuss legal issues regarding an amendment to the Purchase Contract between the City of Austin and Austin Museum of Arts (AMOA) regarding the sale of the Jail-House Block (bounded by Third Street, Fourth Street, San Antonio Street, and Guadalupe Street) (Related Item 6)
- 51 Discuss legal issues concerning a proposed amendment to Chapter 25-1 of the City Code, allowing the City to expire dormant projects under the authority of Chapter 245 of the Texas Local Government Code (Related Item 35)
- 52 Discuss legal issues regarding a proposed zoning ordinance amending Chapter 25-2 of the City Code and a proposed modification of a restrictive covenant amendment for the property known as the "Gables at Westlake", and also locally known as 3100-3320 Capital of Texas Highway (Lake Austin Watershed) (Related Items Z-18, Z-19)

**2:00 P.M. Bond Sales**

- 53 Approve an ordinance authorizing the issuance of City of Austin, Texas, Town Lake Park Community Events Center Venue Project Refunding Bonds, Series 2005, in the approximate amount of \$39,000,000, and authorizing the execution of all related documents (No fiscal impact during Fiscal Year 2004-2005 \$1,999,376 estimated debt service requirement and \$600 estimated annual paying agent/registrar fee will be included in the Fiscal Year 2005-2006 Proposed Budget of the Town Lake Park Venue Project Debt Service Fund )

**2:00 PM BRIEFINGS**

- 54 Presentation on the City's ordinance regarding towing procedures
- 55 Update to Council from the Austin Arts Commission concerning Commission plans and activities, and update on revisions to the Cultural Arts funding program

**3:00 P.M. Transit Oriented Development**

- 56 Approve an ordinance on third reading amending Chapters 25-1, 25-2 and 25-6 of the Land Development Code to establish Transit Oriented Development districts, and adopting zoning and other regulations applicable in those districts (Reviewed by Urban Transportation Commission, Design Commission, Planning Commission, and the Zoning and Platting Commission ) (Related Item 57)

- 57 Approve a resolution to establish goals for affordable housing in Transit Oriented Development (TOD) districts and Station Area Plans (Related Item 56)

**4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS**

**Zoning Ordinances / Restrictive Covenants**

- 58 C814-96-0003 - Pioneer Crossing PUD - Approve second/third readings of an ordinance amending Ordinance No 970410-I to add 138 acres to the Pioneer Crossing Planned Unit Development project and zoning the 138 acres from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning, to modify the land use plan, rezoning and changing the zoning map from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, and to approve the applicant's request to extend the zoning application for the property located generally in the vicinity of Parmer Lane south of Gregg Lane, east of Dessau Road, West and north of Cameron Road (Walnut Creek Watershed) First reading on April 24, 2003 Vote 5-0, Council Member Alvarez off the dais, Mayor Garcia absent Conditions met as follows Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading Applicant American Realty Trust, Inc , Art Collections, Inc , Anderson Development Corp Agent Prime Strategies, Inc (Ralph Reed) City Staff Greg Guernsey, 974-2387
- 59 C14-05-0009 - Brazos Zoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11410 Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning City Council approved neighborhood commercial-conditional overlay (LR-CO) combining district zoning at first ordinance reading Conditions met as follows The Conditional overlay incorporates the conditions imposed or accepted at first ordinance reading First Reading on April 14, 2005 Vote 7-0 Applicant Ray Pickard Agent Crocker Consultants (Sarah Crocker) City Staff Wendy Walsh, 974-7719

**Zoning and Neighborhood Plan Amendment Hearings and Approval of Ordinances  
/ Restrictive Covenants**

- Z- 1            C14-05-0014 - Harrell Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9900 South First Street (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to single family residence standard lot (SF-2) district zoning Zoning and Platting Commission Recommendation To grant single family residence standard lot (SF-2) district zoning, with conditions Applicant Ed Harrell Agent Carlson, Brigance & Doering, Inc (Charles R Brigance) City Staff Wendy Walsh, 974-7719
- Z- 2            C14-05-0018 – Webb 3 Acre Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4615-4623 City Park Road (Lake Austin Watershed) from development reserve (DR) district zoning to single-family residence large lot (SF-1) district zoning Zoning and Platting Commission To grant single-family residence large lot (SF-1) district zoning Applicant Letha Webb Agent Longaro & Clarke, L P (Danny Miller) City Staff Thomas Bolt, 974-2755
- Z- 3            C14-05-0059 - 907 South Center Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 907 South Center Street (East Bouldin Creek Watershed) from mobile home residence (MH) district zoning to family residence (SF-3) district zoning Zoning and Platting Commission Recommendation To grant family residence (SF-3) district zoning Applicant Ronald Dean Agent Ronald Dean City Staff Robert Heil, 974-2330
- Z- 4            C14-05-0058 - 903 South Center Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 903 South Center Street (East Bouldin Creek Watershed) from mobile home residence (MH) district zoning to family residence (SF-3) district zoning Zoning and Platting Commission Recommendation To grant family residence (SF-3) district zoning Applicant Ronald Dean Agent Ronald Dean City Staff Robert Heil, 974-2330

- Z- 5            C14-04-0161 - Zennia Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5117 North Lamar Blvd and 703 Zennia Street (Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-mixed use-neighborhood plan (CS-CO-MU-NP) combining district zoning Planning Commission Recommendation To grant general commercial services-conditional overlay-mixed use-neighborhood plan (CS-CO-MU-NP) combining district zoning Applicant Ely Properties (E Mitch Ely) Agent McHone Real Estate (Mike Mchone) City Staff Glenn Rhoades, 974-2775
- Z- 6            C14-05-0037 SH - 7101 North IH-35 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7101 North IH-35 (Waller Creek Watershed) from limited industrial services (LI) district zoning and general commercial services (CS) district zoning to general commercial services-mixed use (CS-MU) combining district zoning Planning Commission Recommendation To grant general commercial services-mixed use (CS-MU) combining district Applicant Todd A Dobson Agent Foundation Communities (Walter Moreau) City Staff Robert Heil, 974-2330
- Z- 7            C14-05-0032 - 5708 Spring Meadow - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5708 Spring Meadow Road (Williamson Creek Watershed) from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning Planning Commission Recommendation To grant family residence-neighborhood plan (SF-3-NP) combining district zoning Applicant Mike Gharbi Agent Century 21 Capital Team (Maryam Gharbi) City Staff Wendy Walsh, 974-7719

- Z- 8            C14-05-0036 - Pioneer Farms - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11418 Spinkle Cutoff Road (Walnut Creek Watershed) from development reserve (DR) district zoning and development reserve-historic (DR-H) combining district zoning to public district zoning (P) and public-historic (P-H) combining district zoning Planning Commission Recommendation To grant public district zoning (P) and public-historic (P-H) combining district zoning Property Owner Heritage Society of Austin (Mike Ward) Applicant City of Austin Agent Neighborhood Planning and Zoning City Staff Robert Heil, 974-2330
- Z- 9            C14-04-0020 - Austin Ridge Phase I - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8509 FM 969 (Walnut Creek/Colorado River Watersheds) from family residence (SF-3) district zoning to neighborhood commercial (LR) district zoning Zoning and Platting Commission Recommendation To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract One and general office-conditional overlay (GO-CO) combining district zoning for Tract Two Applicant PB Austin Ridge, L L C & MF Austin Ridge, L L C (Peter Barlin) Agent Longaro & Clarke, L P (Joseph Longaro) City Staff Wendy Walsh, 974-7719
- Z- 10           C14H-04-0029 – King-von Rosenberg House Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500 Lorrain Street from multi-family residence (medium density) (MF-3) district zoning to multi-family residence (medium density) – historic (MF-3-H) combining district zoning Historic Landmark Commission Recommendation To grant multi-family residence – historic (MF-3-H) combining district zoning Zoning and Platting Commission Recommendation To grant multi-family residence – historic (MF-3-H) combining district zoning Applicants Sharon A Dunn and Robert A Prentice (owners) City Staff Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454

- Z- 11            C814-99-0001 03 - Avery Ranch PUD, Amendment #3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Avery Ranch Boulevard at Parmer Lane (Brushy Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning   Zoning and Platting Commission Recommendation To grant planned unit development (PUD) amendment Applicant Pebble Creek Joint Venture (Edward Rathgeber, President), Developers of Avery Ranch (Robert D Wunsch), Continental Homes of Texas, L P (Richard Maier) Agent Waterstone Development (Theresa Canchola) City Staff Sherrri Gager, 974-3057
- Z- 12            C814-99-0001(RCA) - Avery Ranch PUD Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as Avery Ranch at Parmer Lane (Brushy Creek Watershed)   Zoning and Platting Commission Recommendation To grant the restrictive covenant amendment Applicant Pebble Creek Joint Venture (Edward R Rathgeber, President), Continental Homes of Texas, L P (Richard Maier), Rathgeber Investment Company, Ltd (Edward R Rathgeber, Jr ), Developers of Avery Ranch (Robert D Wunsch, President) Agent Waterstone Development (Theresa Canchola) City Staff Sherrri Gager, 974-3057
- Z- 13            C14-05-0026 - 1805 Frontier Valley - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1805 Frontier Valley Drive (Carson Creek Watershed) from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family moderate-high density neighborhood plan (MF-4-NP) combining district zoning Planning Commission Recommendation To grant multi-family medium density-neighborhood plan (MF-3-NP) combining district zoning Property Owner Marbella Corp Applicant City of Austin Agent Neighborhood Planning and Zoning Department City Staff Robert Heil, 974-2330

- Z- 14            C14-04-0150 - Neighbor's Stop & Go - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6008 Manchaca Road (Williamson Creek Watershed) from limited office (LO) district zoning and amended to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning Zoning and Platting Commission Recommendation To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions Applicant Anthony R Bertucci Agent Brown McCarroll, L L P (Annick C Beaudet) City Staff Wendy Walsh, 974-7719 Note A valid petition has been filed in opposition to this rezoning request
- Z- 15            C14-05-0011 - Shumaker Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2900 North FM 973 (Colorado River Watershed) from development reserve (DR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district Zoning and Platting Commission Recommendation To limited industrial services-conditional overlay (LI-CO) combining district zoning Applicant Wade Shumaker Agent Minter, Joseph and Thornhill (John Joseph Jr) City Staff Robert Heil, 974-2330
- Z- 16            C14-04-0197 - Buckner - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11833 Buckner Road (Lake Travis Watershed) from development reserve (DR) district zoning to family residence (SF-3) district zoning Zoning and Platting Commission Recommendation To grant single family standard lot (SF-2) district zoning Applicant and Agent Patricia King Sigg City Staff Glenn Rhoades, 974-2775
- Z- 17            C14-05-0023 - Murphy Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5029 Southwest Parkway (Barton Creek Watershed-Barton Creek Zone) from development reserve (DR) district zoning to general office (GO) district zoning for Tract 1, limited office (LO) district zoning for Tract 2 and Rural Residence (RR) district zoning, with conditions Zoning and Platting Commission Recommendation To grant general office-conditional overlay (GO-CO) combining district zoning for Tract 1, limited office-conditional overlay (LO-CO) combining district zoning for Tract 2 and Rural Residence-conditional overlay (RR-CO) combining district zoning, with conditions Applicant Murphey Thomas Oran Agent Bury and Partners (Jim Gallegos) City Staff Robert Heil, 974-2330

- Z- 18            C814-88-0001 08 - Gables at Westlake - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3100-3320 North Capital of Texas Highway (Lake Austin Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning Zoning and Platting Commission Recommendation To grant planned unit development (PUD) district zoning with conditions Applicant Protestant Episcopal School Council (Brad Powell) Agent Drenner Stuart Metcalfe von Kreisler (Steve Drenner) City Staff Glenn Rhoades, 974-2775 (Related Items 52, Z-19)
- Z- 19            C814-88-0001(RCA) - Gables at Westlake - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as 3100-3320 Capital of Texas Highway (Lake Austin Watershed) Zoning and Platting Commission Recommendation To approve the restrictive covenant amendment Applicant Protestant Episcopal School Council (Brad Powell) Agent Drenner Stuart Metcalfe von Kreisler (Steve Drenner) City Staff Glenn Rhoades, 974-2775 (Related Items 52, Z-18)

**5:30 P.M. LIVE MUSIC AND PROCLAMATIONS**

**LIVE MUSIC**

Woody Woode

**PROCLAMATIONS**

Proclamation - Mental Health Month - to be presented by Mayor Will Wynn and to be accepted by Mildred Vuris and Beverly Scarborough

Distinguished Service Award - Herman Thun - to be presented by Mayor Will Wynn and to be accepted by the honoree

Proclamation - 22nd Annual National Tourism Week - to be presented by Mayor Will Wynn and to be accepted by Adriana McWilliams

Proclamation - Public Service Employees Recognition Week - to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by representatives of all City departments

Proclamation - River City Youth Foundation Awards Banquet - to be presented by Council Member Raul Alvarez and to be accepted by Mona Gonzalez

**6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION****Neighborhood Housing and Community Development**

- 60 Conduct a public hearing to receive citizen comments on the City's (1) Draft annual Action Plan for Fiscal Year 2005-2006, related to allocation of the U S Department of Housing and Urban Development grant funds, (2) Community Development Fiscal Year 2005-2006 Program required by Texas Local Government Code Chapter 373, including proposed funding allocations, and (3) the application for \$3,000,000 from the U S Department of Housing and Urban Development Section 108 Loan Program for use under the City's Neighborhood Commercial Management Program (Community Development Commission conducted public hearings on April 12, 2005 and May 10, 2005 )

**Neighborhood Planning and Zoning**

- 61 Conduct a public hearing and consider an appeal by Mike McHone under Section 25-11-247 of the City Code of the denial of a Certificate of Appropriateness by the Historic Landmark Commission under Section 25-11-243 of the City Code for the Maverick Miller House, located at 910 Poplar Street (Certificate of Appropriateness denied by Historic Landmark Commission )

**ADJOURN**

**THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.**

**A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office at 974-2210 no later than three hours before the scheduled time of the item on which the person wishes to speak at the council meeting.**

**Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal al 974-2210 a no más tardar de tres horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar en la sesión del Consejo.**

Council Meetings

January 13, 2005  
January 27, 2005

February 3, 2005  
February 10, 2005  
February 17, 2005

March 3, 2005  
March 10, 2005  
March 24, 2005

April 7, 2005  
April 14, 2005  
April 28, 2005

May 12, 2005  
May 19, 2005  
May 26, 2005

June 9, 2005  
June 23, 2005

July 28, 2005

August 4, 2005  
August 18, 2005  
August 25, 2005

September 1, 2005  
September 12,13,14  
(Budget Readings)  
September 29, 2005

October 6, 2005  
October 20, 2005  
October 27, 2005

November 3, 2005  
November 17, 2005

December 1, 2005  
December 15, 2005

Cancelled Meetings

January 6, 2005

January 20, 2005

February 24, 2005

March 17, 2005  
March 31, 2005

April 21, 2005

May 5, 2005

June 2, 2005  
June 16, 2005  
June 30, 2005

July 7, 2005  
July 14, 2005  
July 21, 2005

August 11, 2005

September 8, 2005

September 15, 2005  
September 22, 2005

October 13, 2005

November 10, 2005  
November 24, 2005

December 8, 2005  
December 22, 2005  
December 29, 2005